

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
P O Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8483
TTY 414-263-8713

March 5, 2003

Bach & Hiller Management Co.
924 E. Juneau Ave.
Milwaukee, WI 53212

Subject: Final Closure for Astor Hotel, 924 E. Juneau Ave., Milwaukee, WI

FID: 241563410
BRRTS: 03-41-002079

Dear Sirs:

On October 28, 1998, you were notified that conditional closure was granted for this case. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases.

On February 11, 2002, the Department received correspondence indicating that you have complied with the conditions of closure pertaining to the filing the groundwater contamination on the State's Geographic Information Systems Registry of Closed Remediation Sites (GIS Registry). Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit:

<http://gomapout.dnr.state.wi.us/org/at/et/geo/gw.ur/index.htm>

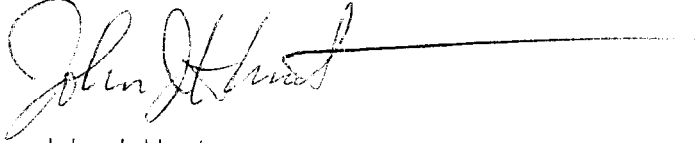
If this is a PECFA site, section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

Please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates the actions you have taken to investigate and remediate the contamination at this site. If you have any questions or comments, please feel free to contact

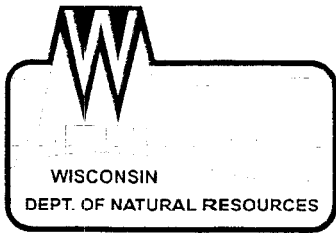
me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to the Remediation and Redevelopment Program Assistant Vicky Stovall (414-263-8680) at the above address.

Sincerely,

A handwritten signature in cursive script, reading "John J. Hnat", followed by a long horizontal line extending to the right.

John J. Hnat
Hydrogeologist
Remediation and Redevelopment

C: Chris Macek, GZA Environmental
WDNR SER Files



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Regional Headquarters
2300 N. Dr. ML King Drive, PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8483
TDD 414-263-8713

October 20, 1998

Mr. Timmothy Hiller
Bach & Hiller Management Company
924 E. Juneau Ave.
Milwaukee, WI 53202

FID 241563410
BRRTS 0341002079

Subject: Closure request for Astor Hotel located at 924 E. Juneau Ave., Milwaukee, WI

Dear Mr. Hiller:

Per the conversation with your environmental consultant, GZA, regarding information not contained in the June 4, 1998 closure submittal, the Department has re-reviewed this site for closure. The Department concurs with your consultant that no further action is necessary and that the above mentioned site should be granted closure.

In order for the site to be officially closed, a groundwater use restriction must be implemented. The groundwater use restriction must follow NR 726.05(8)(am) guidelines and contain the standard language:

"Natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property. Construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by chs. NR 811 and NR 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply. Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater to determine what specific requirements are applicable prior to constructing or reconstruction a well on this property."

This site will be tracked on the Department's tracking system once documentation of the groundwater use restriction is received.

However, the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare of the environment.

If you have any questions or comments please contact me at the above address or at (414)263-8644.



Quality Natural Resources Management
Through Excellent Customer Service



Sincerely,

A handwritten signature in black ink that reads "Michelle M. McGee". The signature is written in a cursive, flowing style.

Michelle M. McGee

Hydrogeologist

Remediation and Redevelopment Program

cc: Chris Macek, GZA Geoenvironmental, Inc.
SER case file

000114394

7895120

WARRANTY DEED

Document Number

Document Title

Bach & Hiller Management, Inc., conveys and warrants to Astor Hotel LLC, certain real estate located in Milwaukee County, Wisconsin described as:

All except the South Thirty (30) feet of the North Ninety (90) feet of the West One Hundred Twenty (120) feet of Quarter Block Twenty-seven (27), and all of Quarter Blocks Twenty-five (25), Twenty-six (26), and Twenty-eight (28) in PARTITION OF THE EAST One-half (1/2) of the Southwest One-Quarter (1/4) of Section Twenty-one (21), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

This is not homestead property.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2000.

Dated this 10 day of April, 2000.

Bach & Hiller Management, Inc.

By: Jaren E. Hiller
Jaren E. Hiller, President

TRANSFER

\$ ~~15,075.00~~ 15,075.00

FEE

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
COUNTY OF MILWAUKEE)

Personally came before me this 10th day of April, 2000, the above named Jaren E. Hiller, as President of Bach & Hiller Management, Inc., to me known to be the person who executed the foregoing instrument and acknowledged the same.

[Signature]
Notary Public, State of Wisconsin

My Commission: [Signature]

This document was drafted by:

Hal Karas, Esq.

Michael Best & Friedrich LLP

TAXFCLIENT\14238\0009\ANN2536

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED AT 1:48 PM

04-12-2000

WALTER R. BARCZAK
REGISTER OF DEEDS

AMOUNT 10.00

Recording Area

Name and Return Address:

Richard J. Rakita, Esq.

Law Office of Richard J. Rakita

735 N. Water Street, #1100

Milwaukee, WI 53202-4105

PIN: 360-0484-100-4

M.S.S. / MORTGAGE SURVEY SERVICE

6617 West Coldspring Road Greenfield, Wisconsin 53220 (414) 327- 4400

Prepared For Astor Hotel, LLC / M&I Marshall & Ilsley Bank / First American Title Insurance

Location of Property 924 East Juneau Avenue

Milwaukee, WI

Description of Property

PARCEL 1:
All except the South Thirty (30) feet of the North Ninty (90) feet of the West One Hundred Twenty (120) feet of Quarter Block Twenty-seven (27), and all of Quarter Blocks Twenty-five (25), Twenty-six (26), and Twenty-eight (28), in PARTITION OF THE EAST One-half (1/2) of the Southwest One-quarter (1/4) of Section Twenty-one (21), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

PARCEL 2:
The South 30 feet of the North 90 feet of the West 120 feet of 1/4 Block 27 in partition of the East 1/2 pf the Southwest 1/4 of Section 21, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

SCALE: 1"=80'

ST.

MARSHALL

N.

E.

KNAPP

ST.

ST.

ASTOR

N.

E.

JUNEAU

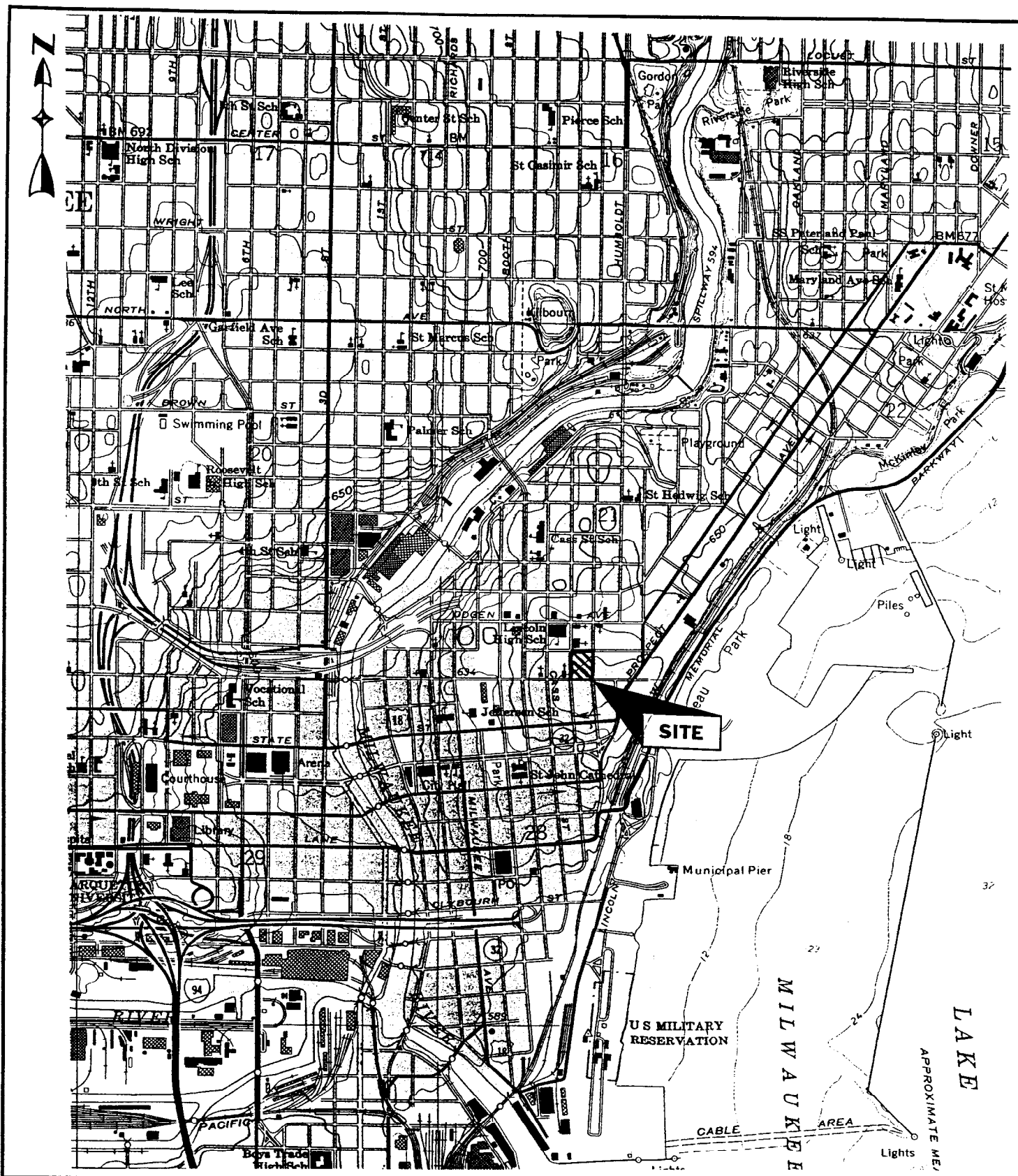
AVE.

This is to certify that this map or plat and the survey on which it is based were made (i) in accordance with "Minimum Standard Detail: Requirements for ALTA/ACSM Land Title Surveys", jointly established and adopted by ALTA, ACSM and NSPS in 1997, and (ii) pursuant to the Accuracy Standards (as adopted by ALTA and ACSM and in effect on the date of this certification) of a(n) "Urban" Survey.

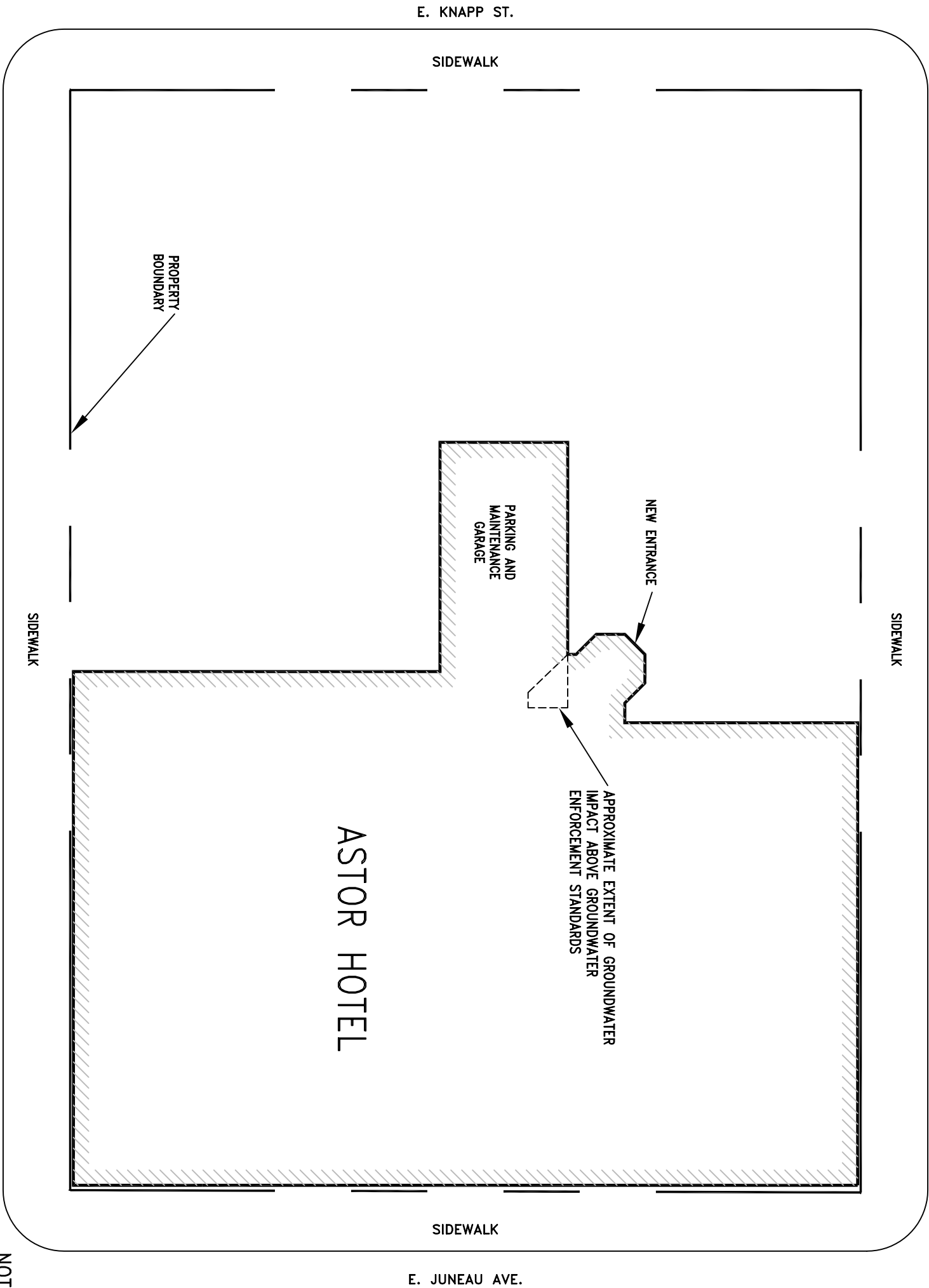
Dated at Greenfield, WI, this 27th day of March, 2000.
REV: 3/23/00 DESC. CORR.

James E. Sulkowski
S-1866







<p>SITE LOCATION MAP</p>	<p>SCALE IN FEET</p> <p>0 1000 2000</p> <p>CONTOUR INTERVAL 10 FEET</p>	<p>DRAWN BY: CJM</p> <p>REVIEWED BY:</p> <p>DATE: 1/03</p>	<p>FILE NO.</p> <p>150031.20</p>
<p>ASTOR HOTEL</p> <p>MILWAUKEE, WISCONSIN</p>	<p>SOURCE: USGS TOPOGRAPHIC MAP</p> <p>MILWAUKEE, WISCONSIN QUADRANGLE</p> <p>© 2003 GZA GeoEnvironmental, Inc.</p>	<p>GZA GeoEnvironmental, Inc.</p> <p>11400 DuPontville Road • Pewaukee, Wisconsin • 53072</p> <p>Phone (414) 991-9992 • Fax (414) 991-9979</p>	<p>FIGURE NO.</p> <p>1</p>



NOTES:

1. BASE MAP DEVELOPED FROM PLAN PREPARED BY MORTGAGE SURVEY SERVICE OF GREENFIELD, WISCONSIN DATED 27TH DAY OF MARCH, 2000 AND REVISED ON 3/28/00. ORIGINAL SCALE 1"=20'.

JOB NO. 150031	FIGURE NO. 1	ASTOR HOTEL MILWAUKEE, WISCONSIN						
			REV. NO.	DESCRIPTION	BY	DATE		
SITE PLAN DEPICTING RESIDUAL GROUNDWATER IMPACT WITHIN SITE BOUNDARY			APPROXIMATE SCALE 1"=40'		PROJ MGR: DESIGNED BY: REVIEWED BY:		OPERATOR: DATE:	
			0 20' 40' 80'		 GZA GeoEnvironmental, Inc. N 4140 Duplainville Road * Pewaukee, Wisconsin * 53072 Phone (262) 691-2662 * Fax (262) 691-9279 * www.gza.com			
								

JOB NO.

150031

FIGURE NO.

1

TABLE 1
GROUNDWATER MONITORING WELL SAMPLING RESULTS
Astor Hotel
Milwaukee, Wisconsin

Parameter	Units	WAC NR 140		Before Start-Up					During Operation										After Shut-Down					
		PAL	ES	7/27/1995	10/17/1995		2/7/1996		5/15/1996		9/2/1996		1/17/1997		6/23/1997		9/25/1997		12/3/1997		12/22/1997		2/4/1998	
				MW-1	MW-1	MW-2	MW-1	MW-2	MW-1	MW-2	MW-1	MW-2	MW-1	MW-2	MW-1	MW-2	MW-1	MW-2	MW-1	MW-2	MW-1	MW-2	MW-1	MW-2
Lead	mg/l	1.5	15	NA	NA	NA	NA	NA	NA	NA	NA	NA	-	-	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
GRO	mg/l			NA	NA	NA	NA	NA	NA	NA	NA	-	4,510	-	1,080	-	1,120	-	7,210	54.7	2,870	-	4,050	
Benzene	mg/l	0.5	5	6.0	NA	60	2.40	59.1	-	88.2	-	110	0.9	46	1.07	5.77	1.1	5.3	0.7	55.9	0.7	18.3	1.1	29.5
Ethylbenzene	mg/l	140	700	-	NA	2,200	1.84	629	-	623	-	609	1.1	362	1.30	11.3	1.2	14.2	-	384	-	140	1.45	394
MTBE	mg/l	12	60	-	NA	18	-	31.4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Toluene	mg/l	200	1,000	-	NA	42	2.78	175	-	155	-	58.5	-	75.6	-	-	1.1	15.0	-	63	-	47	-	135
1,2,4-TMB	mg/l	96	480	17.0	NA	3,500	11.7	2,870	8.4	1,440	5.19	1,360	7.1	877	7.78	110	7.5	201	1.25	747	4.76	570	6.53	683
1,3,5-TMB	mg/l	96	480	-	NA	510	1.29	446	-	239	-	132	1.1	-	1.23	45.4	1.0	-	1.36	-	-	-	-	-
Total Xylenes	mg/l	1,000	10,000	17	NA	210	7.3	190.4	-	244.5	-	180.9	1	67.1	2.49	-	-	-	-	158.4	-	46.8	2.77	243.7

Notes:

1. All samples were collected by GZA GeoEnvironmental, Inc. on the dates indicated.
2. National Environmental Testing, Inc. of Watertown, Wisconsin analyzed the samples collected on 7/27/95. CBC Environmental Laboratories of Oak Creek, Wisconsin analyzed the samples collected on 10/17/95. All other sampling rounds were analyzed by Enviroscan Environmental and Analytical Services of Rothschild, Wisconsin. Concentrations are reported in units of micrograms per liter (µg/l).
3. Enviroscan analyses for total xylenes include styrene.
4. Wisconsin Administrative Code (WAC) Chapter NR 140 Preventive Action Limits (PALs) and Enforcement Standards (ESs) are provided for reference where established. Shading indicates a concentration exceeding the ES for that parameter.
5. "NA" indicates sample not analyzed for that parameter; "-" indicates parameter not detected above laboratory detection limit.
6. GRO = gasoline range organics; MTBE = methyl tert butyl ether; TMB = trimethylbenzene.
7. Lead samples were filtered in field for laboratory dissolved lead analysis.

TABLE 2
MONITORING WELL INFORMATION
Astor Hotel
Milwaukee, Wisconsin

Well Number	Total Depth	Screen Length	Date Installed	<u>Water Depth from Top of Well Casing</u>				
				17-Oct-95	07-Feb-95	15-May-96	02-Sep-96	17-Jan-97
MW-1	18.0	10.0	01-Dec-93	8.40	8.40	8.23	8.51	8.39
MW-2	16.0	10.0	17-Oct-95	7.90	8.56	8.39	8.68	8.52

Notes:

1. Well depths were measured by GZA GeoEnvironmental, Inc. in feet using an electronic tape measure from top of PVC well casing, which is within 0.5 feet of the ground surface.

Weiss

Berzowski

Brady LLP

ATTORNEYS AT LAW

700 North Water St.
Milwaukee, WI 53202-4273
(414) 276-5800
(414) 276-0458 Fax400 Genesee St., Ste. D
Delafield, WI 53018-1815
(262) 646-5812
(262) 646-3340 FaxScott B. Fleming
Direct (414) 270-2505
sbf@wbbsd.com
Reply to Milwaukee

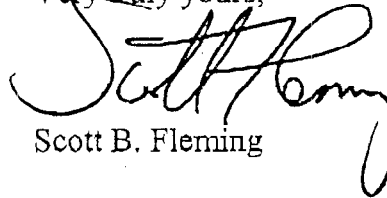
February 5, 2003

VIA FACSIMILEMr. Chris Macek
GZA GeoEnvironmental, Inc.
N4140 Duplainville Road
Pewaukee, WI 53072**RE: Astor Hotel DNR Closure
Our File No. 14810-202**

Dear Chris:

As counsel for Astor Hotel LLC, I am writing to confirm that the legal description of the Astor Hotel, for which we are completing a GIS filing in the above matter, is complete and accurate. You may provide this original statement to the Wisconsin Department of Natural Resources for their use. If you need anything further, please give me a call.

Very truly yours,



Scott B. Fleming

SBF/gms
Enclosurecc: Mr. Tom Hauck (with enclosure via U.S. Mail)
Richard J. Rakita, Esq. (with enclosure)